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Customer No. 24498
Serial No.: 09/719,148
PF980074

REMARKS

Claims 1-14 are pending. Claims 1-9 stand rejected. Claims 1 and 9 are independent.

Claims 10-14 have been added to more fully claim the subject matter to which applicants believe they are entitled.

Claim Amendments

Applicants have amended claims 1 and 9 herein to more clearly and distinctly claim the subject matter that applicants regard as their invention. Each of claims 1 and 9 now includes the feature that the communication of information concerning the message buffer size between said first device and said second device is at the same network layer level as the communication of messages containing payload.

This feature is fully supported by the original specification, for example, figure 6 of the specification shows that the communication of information concerning the message buffer size between said first device and said second device is at the same network layer level as the communication of messages containing payload. The "Write (data)" messages are sent at the same level as the "Open (message_buffer_size_client)" between the client and the FCM. Also see the specification page 13, line 28 to page 14, line 13.

In addition, pages 7 to page 10 of the specification describe that the functions OpenRead, OpenWrite, Open and Write all operate at the same network layer level. The functions OpenRead and OpenWrite containing *message_buffer_size*, Open containing *message_buffer_size_client* and *message_buffer_size_FCM*, and Write function containing *sequence <byte> data*. New claims 10-14 similarly recite this feature.

No new matter is believed to be entered.

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Claim Rejections

Claims 1-7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Strecker et al. (U.S. 4,777,595, hereinafter Strecker).

It is argued on page 3 of the Office Action that Strecker describes:

"Prior to a transfer, the names, offsets and lengths of buffers in other nodes are determined and exchanged through higher level protocols. The message packets of the present invention reference only the name, length (in bytes) and offset (i.e., location relative to the starting address of the buffer) into the buffer. Offset mapping is also implementation-dependent." (Strecker, Col. 3, lines 67 to col. 4, line 15 and col. 7, lines 54 to col. 8, lines 22).

Emphasis added.

Furthermore, applicant points to Strecker col. 12 lines 29-31 where it is explicitly recited that: *"The prior agreement on increased size limits is left to a higher level protocol"* and that: *"The maximum allowable size must be determined by prior agreement between the involved ports, using a higher level protocol."* (emphasis added).

There is no teaching or suggestion in Strecker of applicant's claimed feature of *"the communication of information concerning the message buffer size between said first device and said second device is at the same network layer level as the communication of messages containing payload."* (emphasis added).

In contrast to applicant's claimed invention Strecker suggests that a higher level protocol is used to reach agreement on size limits and also that the message packets reference only the name, length (in bytes) and offset (i.e., location relative to the starting address of the buffer) into the buffer. There is no suggestion of applicant's claimed features.

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Because the above-mentioned features of applicants' claims 1 and 9 are not disclosed in Strecker, the rejection should be withdrawn. Applicants' dependent claims 2-7 each include the newly added features of claim 1 and additional distinguishing features recited in each claim.

It is respectfully requested the rejection of claim 1-7 and 9 be withdrawn and these claims allowed.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strecker in view of Muller et al. (U.S. 6,021,132, hereinafter Muller).

Muller is cited as teaching dynamically allocatable buffers. However, even assuming arguendo that Muller provides such teaching, Muller fails to cure the defect of Strecker as applied to claim 1. Thus, applicants submit that claim 8, which depends from claim 1, is patentably distinguishable over the combination of Strecker and Muller for at least the same reasons as those discussed above.

New claims 10-14 are directed a method for receiving data in a receiving device coupled to a transmitter device in a home network, and similarly recites the additional feature of claims 1 and 9 mentioned above. Thus, applicants submit that new claims 10-14 are patentable over the cited references for at least the same reasons as those discussed above with respect to claims 1 and 9.

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Having fully addressed the Examiner's rejections it is believed that, in view of the preceding remarks, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,



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